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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

☐ Responsive to communication(s) filed on _____ .

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire _____3_____ month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) *1-106* _____ is/are pending in the application.

    Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) *1-106* _____ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

    ☒ All ☐ Some* ☐ None   of the CERTIFIED copies of the priority documents have been

       ☒ received.

       ☐ received in Application No. (Series Code/Serial Number) _____ .

       ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    *Certified copies not received: _____ .

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____4_____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-6, 12-15, 19, 20, 23-25, 27, 32-37, 52-57, 63-66, 70, 71, 74-76, 78, 83-88, 103

and 104 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan et al..

Regarding claim 1: Morgan discloses a status collector (see # 48 of fig.1) that acquires

status from a printer and in response to a status request, outputs printer status. (See column 3

line 16-26) Even though Morgan does not disclose a response content determination means and a

response information preparation mean, it would have been obvious that Morgan would have to

determine and prepare the information (content) that is to be sent because it would not be

desirable for the status collector to send out "printer OK" while the printer is not operable.

Regarding to claim 2: Morgan teaches to send status information to LAN components.

(See fig. 1 and column 3 line 23) It would have been obvious that the information sent has to be

in a form understandable by the medium at the response addressee because it would not be

desirable for the status collector to send information intended for a workstation to a fax machine.

Regarding claim 4: Morgan teaches to use an event field to indicate what specific activity or event occurred that the status collector is currently being notified of. In other words, if there are events occurred at the same time, the event field would indicate them all.

Regarding claim 5 and 6: Morgan teaches to use a centralized storage to store information for components connected to a network (see column 8 line 9-25) and the status collector is connected to the network. (See fig.1) It would have been obvious in preparing information, certain rules would have to apply because it would not have been desirable to send a "printer OK" response at a time and a "printer not OK" response at another time when actually at both times, the printer is fine.

Regarding claims 12-14: Morgan teaches to transmit printer status to other components in an LAN. (See fig. 1 and column 3 line 15-25) In fig. 1, Morgan shows that other components including a database management system (#53) and a file mangement system. (#24)

Regarding claim 15: Morgan discloses an LAN (see fig. 1 and column 33 line 38) It is well known in the art that an LAN could add onto Internet and in the Internet, a home page could be used to transmit information (printer status). It would have been obvious for one of ordinary skill in the art to connect the LAN onto Internet and use a home page for status information because it would allow a user travels to a far away area and still be able to use and monitor the printer system and it would be desirable for the user.

Regarding claims 19 and 37: Morgan discloses a status collected (see # 48 of fig.1) that acquires status from a printer and in response to a status request, outputs printer status. (See

column 3 line 16-26) Even though Morgan does not disclose a response procedure determination (designation) mean and a response information preparation mean, it would have been obvious that Morgan would have to determine (designate) the procedure in preparing the information that is to be sent because the status collector would not be able to output status information without knowing the procedure of preparing the status for outputting

Regarding to claim 20: Morgan teaches that the status collector would have to select a response procedure in sending status to a file server (# 24 of fig. 1) from a plurality of available procedures. The available procedures include procedures of sending status to a resource, a file server, (#26 of fig. 1), and a printing client. (#18a of fig. 1)

Regarding claim 23: In sending status information, the status collector would have to know what status (content) is to be sent.

Regarding to claim 24 and 25: Morgan teaches to send status information to different response medium and addressee. (See the file serve, the service manager of fig. 1) Therefore, the status collector would have to designate a response medium and addressee.

Regarding claim 27: Morgan teaches to send status information to a file server and to a service manager. (See fig. 1) It would have been obvious that the service manager and the file server speak different language because a file server is a computer and would only understand binary code while a service manger could only speak English.

Regarding claims 3 and 32: Morgan teaches to use a centralized storage to store information for components connected to a network (see column 8 line 9-25) and the status collector is connected to the network. (See fig.1)

Regarding claims 33, 34, 35, and 36: Applicant admits that fig. 3 of this application is prior art. In figure 3 of this application, the status data "state 0" indicates a single status and status data " state 0, state 1" indicates a plurality of status. The status information " copy paper out "would change with time and the statuses could happen at the same time because statuses could happen at any time.

Regarding claims 52-57, 63-66, 70, 71, 74-76, 78, 83-88: Those claims are method claims claiming the method for the apparatus discussed the claims 1-6, 12-15, 19, 20, 23-25, 27, 32-37. See the discussion on those claims.

Regarding claims 103 and 104: Morgan discloses a print server (see fig. 1) to store a program as discussed in claim 70.

3.   Claims 7-9, 58-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan et al in view of Kageyama et al..

Regarding claims 7-9, Morgan et al. have disclosed all of the claim limitations except using an electronic mail for response. Kageyama teaches to use an electronic mail status report in his print network. (See fig. 3 and # 7522 of fig. 20) Morgan and Kageyama are combinable because they are both from the same area of sending printer status in a network environment. At the time of invention, it would have been obvious to one of ordinary skill in the art to use an

electronic mail response method for Morgan. The suggestion of doing so would be desirable

because electronic mail is a common feature in a network environment and it would save money

for a user to use an existing feature when compare to implementing new ways of communication.

Therefore, it would have been obvious to combine Morgan and Kageyama to obtain the invention

as specified in claims 7-9.

Note: It is well known in the art that an electronic mail transmits data in text form and

would include an opening sentence (mail header) indicating to whom the mail is sending to and

a subject (a closing sentence or a mail footer) indicating what the mail is about.

Regarding claims 58-60: Those claims are method claims claiming the method for the

apparatus discussed the claims 7-9. See the discussion on those claims.

4.   Claims 10-11, 16, 18, 61, 62, 67, 69 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Morgan et al. In view of Wernikoff et al..

Regarding claims 10-11, 16, 18: Morgan has disclosed all of the claims limitations except

showing the use of a phone and a facsimile machine. Wernikoff teaches to use a phone and a

facsimile machine to send status information. (See column 12 line 1-25 abstract and column 3

line 40-45) Morgan and Wernikoff are combinable because they are from the same area of

sending status information. At the time of invention, it would have been obvious to one of

ordinary skill in the art to use a phone and a facsimile machine to send status data in Morgan's

invention. The suggestion of doing so would have allowed Morgan to transmit status information

in case of electronic mail malfunction and it would be desirable for a user. Therefore, it would

have been obvious to combine Morgan and Wernikoff to obtain the invention as specified in

claims 10, 11, 16, and 18.

Note: A portable telephone is a phone and a phone is used to transmit voice. (Sound)

Regarding claims 61, 62, 67, 69: Those claims are method claims claiming the method

for the apparatus discussed the claims 10, 11, 16, 18. See the discussion on those claims.

5.   Claims 17 and 68 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Morgan et al. In view of Barrett.

Regarding claim 17 and 68: Morgan has disclosed all of the claim limitations except

outputting status information to a pager. Barrett teaches to send status information to a pager.

(See column 8 line 41-45 and column 9 line 24) Morgan and Barrett are combinable because they

are from the same area of sending status information. At the time of invention, it would have

been obvious to send status in Morgan's print system to a pager. The suggestion of doing so

would have locate a user anywhere he goes and is desirable for the user. Therefore, it would

have been obvious to combine Morgan and Barrett to obtain the invention as specified in

claim 17 and 68.

6.   Claims 21, 22, 26, 28, 29, 30, 31, 38-51, 72, 73, 77, 79, 80, 81, 82, 89-102, 105 and 106

are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan et al. In view of Hayashi

et al..

Regarding claims 21, 22, 26, 29: Morgan has disclosed all of the claims limitations

except showing the determination a response procedure in consonance with the degree of

importance of the status, and whether the response is to be sent out right the way depending on a

condition that the status is important or to be sent out at a later time. Hayashi teaches to

determine the importance of a status (see column 30 line 21-25) and according to the importance

of the status, determine to send a response right the way or at a later time. Morgan and Hayashi

are combinable because they are in the same area of sending status information. At the time of

invention, it would have been obvious to one of ordinary skill in the art to allow Morgan's status

response to determine the importance of a status and according to the importance of the status,

determine to send a response right the way or at a later time. The suggestion of doing so would

have allowed Morgan to send status information at a time that the network is not busy and reduce

traffic in peak time. This would increase system efficiency. Therefore, it would have been

obvious to combine Morgan and Hayashi to obtain the invention as specified in claims

21, 22, 26, and 29.

Regarding claim 28: Morgan has disclosed all of the claim limitations except showing the

determination a degree of detail in an explanation. Hayashi teaches to determination whether to

send an "error" message or a more detail massage"service man call". (see column 30 line 1-3)

Morgan and Hayashi are combinable because they are in the same area of sending status

information. At the time of invention, it would have been obvious to one of ordinary skill in the

art to allow Morgan's status response to determine a degree of detail in an explanation. The

suggestion of doing so would have allowed Morgan to send less information if possible. This

would increase system efficiency. Therefore, it would have been obvious to combine Morgan and

Hayashi to obtain the invention as specified in claim 28.

Regarding claims 30 and 31: Morgan has disclosed all of the claims limitations except

showing the determination of a re-response procedure. Hayashi teaches to determination a re-

response procedure. (See fig. 52) Morgan and Hayashi are combinable because they are in the

same area of sending status information. At the time of invention, it would have been obvious to

one of ordinary skill in the art to allow Morgan's status response to determine a re-response

procedure. The suggestion of doing so would have allowed Morgan to send status information at

a time that the system is not busy. This would ensure the transfer of important status to a

destination and is desirable. Therefore, it would have been obvious to combine Morgan and

Hayashi to obtain the invention as specified in claim 30 and 31.

Note: In fig. 52, the longer the human flag is set, the larger the number of re-response

there is.

Regarding claims 38 and 39: Morgan has disclosed all of the claims limitations (see

discussion of claim 19) except disclosing a response result determination mean and a re-response

control mean. Hayashi teaches to determine whether a response has failed (fig. 2 The human

body set is an indication of failed response) and to determine to re-response. (The return in fig. 2

is an indication of re-response) Morgan and Hayashi are combinable because they are in the

same area of sending status information. At the time of invention, it would have been obvious to

one of ordinary skill in the art to provide a response result determination mean and a re-response

control mean. The suggestion of doing so would have allowed Morgan to detect the result of

response re-response if the response has failed. This would ensure the transfer of important status

to a destination and is desirable. Therefore, it would have been obvious to combine Morgan and

Hayashi to obtain the invention as specified in claims 38 and 39.

Regarding claims 44 and 45: Morgan has disclosed all of the claims limitations (see

discussion of claim 1, 2, and 38 except specifying that the determination mean would have to

determine whether a person is prepared to handle the response or not. Morgan teaches to send

response to a service manger who is a person. (See fig. 1) Therefore, the determination mean

would also have to determine whether the manager is prepared to handle the response or not.

Otherwise, it would not make sense to implement the determination mean in Morgan's status

transferring method in the case of sending status response to the service manager.

Regarding claims 40 and 46: Morgan teaches that the response procedure includes a

plurity of procedures such as the procedure of sending response to a file server and a procedure

of sending response to a service manager. (See fig. 1)

Regarding claims 41, 47 and 49: Hayashi teaches to use a reply (status) to send back to

the response party (See received results of communication of fig. 74) so that the response party

could determine whether a response has failed.

Regarding claims 42 and 48: Hayashi teaches that response failure could be indicated

when a predetermined time has elapsed. (See timer>3min in fig. 74)

Regarding claims 43 and 50: Hayashi teaches to change the timer of fig.74 (see fig. 75) If

the timer has changed in between the response and re-response, then the procedure of comparing

a time with 3min would be different when compare to a procedure of comparing a time with 20

min.

Regarding claim 51: It would have been obvious that the determination mean would have

to determine what to transfer before it could transfer or otherwise, what it transfer would not

have made senses to the receiving party.

Regarding claims 72, 73, 77, 79, 80, 81, 82, 89-102: Those claims are method claims

claiming the method for the apparatus discussed the claims 21,22, 26, 28, 29, 30, 31, 38-51. See

the discussion on those claims.

Regarding claims 105 and 106: Morgan discloses a print server (see fig. 1) to store a

program as discussed in claim 89.

Conclusion

7.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to King Y. Poon whose telephone number is (703) 305-0892 or to Supervisor

Mr. David Moore whose phone number is (703) 308-7452.

July 6, 1999

DAVID K. MOORE
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